

REMARKS

In the Official Action mailed on **5 May 2006**, the Examiner reviewed claims 1-21. The Title was objected to as not being descriptive. The drawings were objected to for failing to comply with 37 CFR §1.84(p)(5). Claims 1-21 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-25 of copending Application No. 10/686,061. Claims 5 and 14 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-21 were rejected under 35 U.S.C. §102(e) as being anticipated by Chaudhry et al (USPub 2005/0081195, hereinafter "Chaudhry").

Objections to the Title

The Title was objected to as not being descriptive.

Applicant has amended the Title to be descriptive of the claimed invention.

Objections to the drawings

The drawings were objected to for failing to comply with 37 CFR 1.84(p)(5).

Applicant has amended the drawings to comply with 37 CFR §1.84(p)(5). No new matter has been added.

Double patenting rejection

Claims 1-21 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting.

Applicant respectfully submits the attached terminal disclaimer to obviate any actual or provisional obviousness-type double patenting.

Rejections under 35 U.S.C. §112, second paragraph

Claims 5 and 14 were rejected as being indefinite..

Applicant has amended claims 5 and 14 as suggested by the Examiner.

Rejections under 35 U.S.C. §102(e)

Independent claims 1, 10, and 19 were rejected as being anticipated by Chaudhry. The Examiner avers that "...the processor always to resume execution in the execute-ahead mode" at the limitation "determining whether to resume execution in the execute-ahead mode."

Applicant respectfully points out that, unlike in Chaudhry, the present invention has the option of **remaining in deferred execution mode 206**, or returning to execute-ahead mode 204 (see FIG. 2 OPTION B, and paragraph [0043] of the instant application). The decision of whether to return to execute-ahead mode or to remain in deferred execution mode can depend upon, for example, on the number of instructions that have been executed in execute-ahead mode (see paragraphs [0044]-[0048] of the instant application). Deciding whether to return to execute-ahead mode or remain in deferred execution mode is beneficial because it provides a technique for dynamically adjusting the aggressiveness of the processor.

Hence, Applicant respectfully submits that independent claims 1, 10, and 19 as presently amended are in condition for allowance. Applicant also submits that claims 2-9, which depend upon claim 1, claims 11-18, which depend upon claim 10, and claims 20-21, which depend upon claim 19, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler

Registration No. 47,615

Date: 22 May 2006

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616-7759
Tel: (530) 759-1663
FAX: (530) 759-1665
Email: edward@parklegal.com

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to FIG. 1A. This sheet, which includes only FIG. 1A, replaces the original sheet including FIG. 1A. In Fig. 1A, Applicant has clearly indicated processor 100. This amendment finds support in Paragraph [0023].

Attachment: Replacement Sheet.